

PATENT

2007 MAY -8 PM 4: 50

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hill et al.

Serial No.: 10/067,410

Filed: February 4, 2002

For: METHOD FOR FORMING A
SELECTIVE CONTACT AND LOCAL
INTERCONNECT IN SITU (as amended)

Confirmation No.: 8302

Examiner: H. Lee

Group Art Unit: 2823

Attorney Docket No.: 2269-3380.1US
(97-0842.01/US)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 27, 2007
Date

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Erika Gandre
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REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

MAIL STOP 16

Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On June 23, 2006, Applicants filed a Notice of Appeal with the U.S. Patent and Trademark Office. The June 23, 2006, filing included Check No. 9759 in the amount of \$500.00 for the Notice of Appeal fee. A copy of Check No. 9759 with the Office's endorsement on the back is attached hereto as Exhibit "A".

On January 8, 2007, following the issuance of a final office action by the Office, Applicants filed a second Notice of Appeal for the purpose of reinstating their previous appeal with the U.S. Patent and Trademark Office. According to the MPEP § 1204.01, an appellant may reinstate an appeal after prosecution is reopened, and "[a]ny previously paid appeal fees . . . for

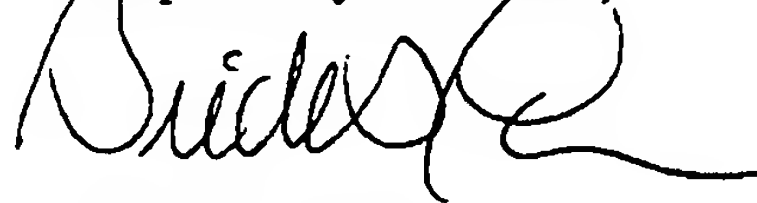
Serial No. 10/067,410

filing a notice of appeal . . . will be applied to the new appeal on the same application as long as a final Board decision has not been made on the prior appeal." In the present application, a final Board decision has not been made.

However, although it was not required, the January 8, 2007, filing inadvertently included Check No. 10634 in the amount of \$500.00 for the Notice of Appeal fee. A copy of Check No. 10634 with the Office's endorsement on the back is attached hereto as Exhibit "B".

Please refund the \$500.00 overpayment of the Notice of Appeal fee described above directly to Applicant's attorneys via their USPTO deposit account, TRASKBRITT, PC, Deposit Account no. 20-1469, and reference Attorney Docket No. 2269-3380.1US. A copy of this Request for Refund is enclosed for deposit account purposes.

Respectfully submitted,



Brick G. Power
Registration No. 38,581
Attorney for Applicant(s)
TRASKBRITT
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Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: April 27, 2007
BGP/ps:eg

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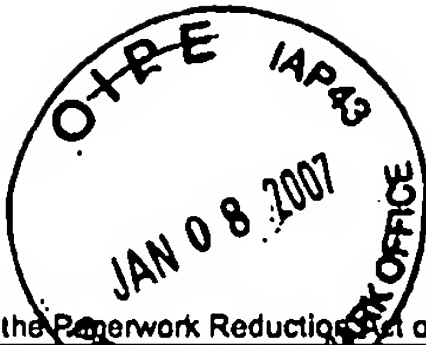
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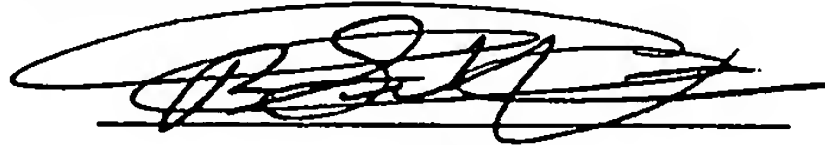
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 2269-3380.1US (97-0842.01/US)	
CERTIFICATE OF MAILING Express Mail label Number: <u>EV962541133US</u> Date of Deposit <u>January 8, 2007</u> Person Making Deposit <u>DI Sanders</u>		In re Application of Hill et al.	
		Application Number 10/067,410	Filed February 4, 2002
		For METHOD FOR FORMING A SELECTIVE CONTACT AND LOCAL INTERCONNECT IN SITU (as amended)	
		Art Unit 2823	Examiner H. Lee
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ <u>500.00</u> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____ <input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any deficiency in fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1469</u> . I have enclosed a duplicate copy of this sheet. <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98) <input type="checkbox"/> attorney or agent of record. Registration number _____ <input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>55,771</u>			
 Signature R. Scott Vincent Typed or printed name (801) 994-8710 Telephone number January 8, 2007 Date			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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